IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 20760 of 2004

Between:

1 Sannapureddy Narasimha Reddy, S/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
2 Chintamreddy Venkata Subbaiah, S/o. Narayana Reddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
3 Mandala Santaiah, S/o. Obaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
4 Kande Nagamma, W/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
5 Muddena Santaiah, S/o. Venkataiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
6 Kondareddy Chinnakka, S/o. Gangaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
7 Devabathi Penchalaiah, S/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
8 Thappeta Pedda Kondaiah, S/o. Thirupaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
9 Narike Penchalaiah, S/o. Narsaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
10 Siddans Penchalaiah, S/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
11 Darsi Yandaiah, S/o. Obaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.
12 Venkata Reddy, S/o. Thatireddy Gangireddy,
R/o. Bramhanapalli village, Kaluvai Mandal,

Nellore District.

13 Kande Chinna Narsaiah S/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

14 Siddana Penchalaiah, S/o. Narsaiah Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

15 Manneti Chinna Venkata Subbaiah, S/o. Subbaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

16 Edi Pedda Narasimhulu, S/o. Thirupaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

17 Pallem rama Subbamma, W/o. Lingaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

18 Chintam Reddy Ramreddy, S/o. Venkataiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

19 Manneti Venkata Subbaiah, S/o. ramaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

20 Siddanna Narsimulu, S/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

21 Dharsi Pedda Obaiah, S/o. Obaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

22 Palle Naramma, W/o. Bumaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

23 Nallagondu Venkata Subbamma, W/o. Kondalarayudu,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

24 Thappeta Obaiah, S/o. Yanadaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

25 Kaluwai Subbamma, W/o. Chinna Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

26 Surepally Naramma, W/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

27 Siddanna Narasaiah, S/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

28 Narike Narsimlu, S/o. Chinna Guruvaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

29 Soka Gurvaiah, S/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

30 Soka Peda Guravaiah, S/o. Chinnaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

31 Muddina Pitchaiah, S/o. Venkataiah, 60
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

32 Sunkara Narasamma, W/o. Lokaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

33 Perumalla Pen Chalaiah @ Mugaiah, S/o. Yellaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

34 Panga Bayanna, S/o. Mastanaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

35 Malu Venkatyareddy, S/o. Venkata Ram Reddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

36 Nut Heti Venkataiah, S/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

37 Budigi Yandaiah, S/o. Rosaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

38 Goru Ramaiah, S/o. Ramireddy Gari Venkataiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

39 Nallagondu Arem Konda Reddy, S/o. Pitch Reddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

40 Chintamreddy Pedda Linga Reddy, S/o. Subbaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

41 Chintamreddy Pedda Venktaiah, S/o. Subbaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

42 Mallu Basireddy Gari Narasimhulu, S/o. Nagaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

43 Eguru Penchalaiah, S/o. Rosahaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

44 Perumalla Chinna Narsaiah, S/o. Yellaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

45 Siddana Chinna Kondamma, W/o. Ramana Reddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

46 Gummadi Mallem Kondaiah, S/o. Kondaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

47 Bovilla Chantiah, S/o. Pedda Guravaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

48 Bovilla Chinnabbi, S/o. Pedda Guraviah,
R/o. Bramhanapalli village, Kaluvai Mandal,

Nellore District.

49 Bovilla Guravaiah, S/o. Pedda Guravaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

50 Vootukuru Seshaiah, S/o. Polaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

51 Mallu Narasimhulu, S/o. Nagaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

52 Kathi Peda Pitchaiah, S/o. Venkataiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

53 Kathi Chinna Pitchaiah, S/o. Venkataiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

54 Chintamreddy Narasimhulu, S/o. Pitchaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

55 Lanka Sarojamma, W/o. Narasimhulu,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

56 Avula Yellaiah, S/o. Nagaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

57 Mallu Penchalareddy, S/o. Narasiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

58 Chintamreddy Subbamma, W/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

59 Erri Kondareddy, S/o. Ramaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

60 Chintamreddy Subbamma, W/o. Venkata Subbareddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

61 Goru Ramireddy, S/o. Ramireddygari Venkataiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

62 Mamummadi Raja Reddy, S/o. M. Subba Reddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

63 Nallagondu Kondalarayudu, S/o. N. Pedda Pitchireddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

64 Goru Narayanamma, D/o. Goru Venkataiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

65 Edi Lakshmi Narasamma, W/o. Edi Venkataramaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

66 Kathi Subbamma, W/o. K. Papaiah,

R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

67 Kathi Kondamma, W/o. K. Santaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

68 Goru Prameelamma, W/o. G. Subbareddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

69 Kondareddy Ramanaiah, S/o. Venkatramaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

70 Thappeta Lakshmi Narasamma, W/o. T. Subbaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

71 Kaluvai Pitchaiah, S/o. K Penchalaiah,40
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

72 Darsi Chinnaiah, S/o. D. Obaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

73 Obulasetty Raghavulu, S/o. O. Mangamma,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

74 Bellam Subbarathnam, S/o. B. Chinna Subbaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

75 Poliboyina Yanadaiah, S/o. P. narsimhulu,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

76 Darsi Narasimulu, S/o. D. Chinnaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

77 Chintamreddy Ramanareddy, S/o. Ch. Venkataiah Subbaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

78 Nallgondu Kondareddy, S/o. N. Pitchireddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

79 Chintamreddy Ramanareddy, S/o. Ch. Venkatareddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

80 Manneti Venkatareddy, S/o. M. Chenchaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

81 Palla Ramireddy, S/o. P. Venkatasubbaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

82 Pallam Balakondamma, W/o. P. Yellareddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

83 Darsi Pedda Obaiah, S/o. D. Obaiah,

R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

84 Siddam Narasimhulu, S/o. S. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

85 Nutheti Venkata Narasiah, S/o. N. Santaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

86 Kota Obulareddy, S/o. K. Ramireddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

87 Soke Penchalaiah, S/o. S. Chinnaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

88 Mummadi Pitchamma, W/o. Venkataiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

89 Siddana Venkata Subbaiah, S/o. Penchalaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

90 Mummadi Papreddy, S/o. Chinnaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

91 Mummadi Venkataiah, S/o. Chinnaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

92 Palle Narayana Reddy, S/o. Subbaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

93 Ch. Penchalaiah, S/o. Narasaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

94 Mummadi Venkataiah, S/o. Chinnaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

95 Mallu Pedda Chinnapareddy, S/o. Chinna Venkataiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

96 Mummadi Sesha Reddy, S/o. M. Gangi Reddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

97 Gummadi Atchamma, W/o. Penchaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

98 Mamidi Lakshmamma, W/o. M. Rama Reddy Subbareddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

99 Darsi Lakshmi Narasamma, W/o. D. Bala Obaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

100 Kathi Gurraiah, S/o. K. Ramaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

101 Edi Laksahmma, W/o. E.Venkataiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

102 Kathi Gurraiah, S/o. Ramaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

103 Mallu Chinnapareddy, S/o. M. Penchalareddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

104 Chintamreddy Narasimhulu, S/o. Ch. Naraiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

105 Nijamani Yanadaiah, S/o. Bovilla Guravaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

106 Mallu Chinnapareddy, S/o. Nagaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

107 Moramreddy Venkataiah, S/o. Chinna Narasaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

108 Nadigadda Khajamiya, S/o. Hussain Saheb,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

109 Siddana Narayana, S/o. Subbaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

110 Kodikuthala Kondaiah, S/o. Obaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

111 Kodikuthala Atchaiah, S/o. Obaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

112 Kodikuthala Nalla Obaiah, S/o. Obaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

113 Mallu Thirupalu Reddy, S/o. Chinnaramaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

114 Mamidi Rosamma, W/o. Subbaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

115 Mallu Yanadi Reddy, S/o. Narasa Reddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

116 Mummadi Venkata Narasa Reddy, S/o. M. Oguraiah,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

117 Mallu Ramakrishnaiah, S/o. Penchala Reddy,
R/o. Bramhanapalli village, Kaluvai Mandal,
Nellore District.

118 Manneti Venkatreddy @ Venkataiah, S/o. Ramaiah,
R/o. Bramhanapalli village, Kaluvai Mandal,

Nellore District.

..... PETITIONERS

AND

1 The Special Deputy Collector, Land Acquisition Somasila Project,

Unit-IV, Rajampet, Kadapa District.

2 The Special Collector, Land Acquisition, Telugu Ganga Project,

Near K.V.R. Petrol Bunk, Nellore.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue Writ Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 1st respondent in not passing orders on the 28-A applications filed by the petitioners seeking re-determination of the amount of compensation of the basis of the Award of the Court Which have been acknowledged by the 1st respondent on 5.9.1987 in respect of their lands situated in Reach No.II in Vogur Village, Sidhout Tauk, Gopavaram Mandal, Kadapa District, which have been acquired vide Award No.11/80 dt. 9.8.1980 as illegal, arbitrary, and violative of principles of natural justice,

Counsel for the Petitioners: MRS.S.NANDA

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following:

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ORDER:

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This writ petition is filed seeking declaration that the action of the 1st respondent/Special Deputy Collector in not passing orders on the applications filed by the petitioners under Section 28-A of the Land Acquisition Act for re-determination of the amount of compensation on the basis of the award No.11/80, dated 09.08.1980 on the file of the Land Acquisition Officer, Rajampet, Kadapa District, as arbitrary and illegal.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Land Acquisition, appearing for the respondents, and on perusal of the material on record, the Writ Petition is disposed of with a direction to the 1st respondent to consider the applications of the petitioners and pass appropriate orders after verifying as to whether the applications are filed within the time and whether they have not availed the benefit of reference under Section 18 of the Land Acquisition Act. Such exercise shall be

completed as expeditiously as possible, preferably within a period of three months from the date of receipt of this order. No costs.

Note:

Issue CC in two days

B/o

Dsr

ASSISTANT REGISTRAR

To:

1. The Special Deputy Collector,
Land Acquisition, Somasila Project,
Unit IV, Rajampet, Kadapa District

2. The Special Collector, Land Acquisition,
Teluguganga Project, near KVR Petrol Bunk,
Nellore

3. Two CCs to the Government Pleader
for Land Acquisition, High Court Buildings,
Hyderabad (OUT)

4. Two CD copies.